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April 4, 2019

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Lambert L. Ginsberg  
(1928-2017)

Honorable Daniel J. Stewart  
United States Magistrate Judge  
James T. Foley U.S. Courthouse  
445 Broadway, Room 409  
Albany, New York 12207

**Re:     Adrian Thomas v. Ronald Fountain, et al.  
Civil Action No.: 1:17-cv-626 (GTS/DJS)**

Dear Magistrate Stewart:

I represent the defendants, Adam R. Mason, Ronald Fountain and Tim Colaneri in the above-referenced action now pending before you. I desire to obtain as part of the discovery allowed pursuant to Rule 26 FRCP the records of the Rensselaer County District Attorney regarding the prosecution of the plaintiff herein in the Rensselaer County Court. Assistant District Attorney, Jacob Sher serving in the office of the present District Attorney has advised me that he will comply with a subpoena directing the production of the requested records if the subpoena is issued and executed by Your Honor:

Hoping that you will do this, I have drafted a proposed Subpoena for your signature, if it meets with your approval.

In support of this request, I am submitting a copy of the Consent heretofore signed by the plaintiff.

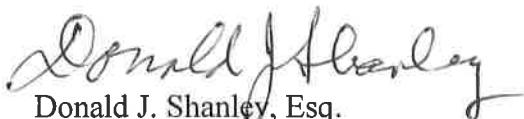
Your Honor will notice that I have excluded the records sought to be subpoenaed the minutes of the Grand Jury which indicted the plaintiff since those have hereto been received through a motion made in the Rensselaer County Court.

If Your Honor does execute the requested Subpoena, will you kindly call my office at (518) 266-1029 and we will make arrangements to pick this up at your office.

Thanking Your Honor for his kind consideration of this request, I am.

Very truly yours,

PATTISON, SAMPSON, GINSBERG & GRIFFIN, PLLC



Donald J. Shanley, Esq.

DJS/may

Enc.

cc: Via CM/ECF

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